



05-CR-00173-BCST

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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT V. KESLING,

Defendant,

KUPALA TARA,

Petitioner.

Cause No. 05-173 RSM

PETITION FOR KUPALA TARA

COMES NOW Kupala Tara, pursuant to Title 21, USC Section 853(n) and submits this Petition in support of her claim of an interest in some of the properties being forfeited by the United States. Petitioner claims that she is a bona fide purchaser for value without reasonable cause to believe that any of the properties that she claims is subject to forfeiture.

On January 5, 2006, Petitioner received notice of the United States intent to forfeit properties listed in a notice dated December 9, 2005 in the case of United States v. Kesling, cause number CR05-173RSM.

Included amongst the properties listed are items of personal property that belong to the petitioner. Those properties include (1) a 2004 Harley-Davidson 883 Sportster, VIN

1 IHV4CAM114K455143. The monies used to pay for this motorcycle came from income  
2 derived by the petitioner from working either at Deja Vu in Lake City, Washington or the  
3 Hustler Club in San Francisco, California.

4 Petitioner deposited approximately \$8,000.00 of her income into a joint account with  
5 Kesling and those monies were used by him to purchase the motorcycle for the petitioner.  
6

7 Petitioner also claims an interest in item (m), the Rolex Oyster Perpetual women's  
8 watch. The item was purchased for petitioner as a gift in 2004.

9 Petitioner further claims an interest in item (n), a diamond gold necklace<sup>1</sup>. Petitioner  
10 believes that the necklace was seized from her home at about the time that Mr. Kesling was  
11 arrested and believes and, therefore, alleges that the item in question was a gift from her  
12 family.  
13

14 Petitioner claims an interest in item (o) a pearl necklace. She believes that this item  
15 was purchased by her while she was visiting in Mexico in 2004.

16 Petitioner also claims an interest in item (q) a Hewlett-Packard laptop. This item was  
17 purchased for Ms. Tara by her mother to use when she went to school. Petitioner believes that  
18 she either purchased the item herself with monies given to her by her mother or with monies  
19 deposited to her school account.

20 Petitioner also claims an interest in item (r) a Sony computer. In fact, the government  
21 did not seize the computer but only the hard drive. Petitioner requests that the hard drive be  
22 returned to her.  
23

24 Item (I) the 2004 Harley-Davidson 883 Sportster was purchased on or about July  
25 2004.  
26

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<sup>1</sup> Petitioner believes this necklace is hers; however, would like to see a picture of it to be certain.

1 Item (m) the Rolex Oyster Perpetual women's watch was a gift to her purchased in  
2 approximately in 2003.


3 Petitioner is not sure exactly when item (n) the diamond gold necklace was purchased.  
4 It was a gift from her family.


5 The pearl necklace, item (o) was purchased in 2004.

6 For the reasons outlined in the Petition, Kupala Tara requests that the items of  
7 property listed be returned to her.  
8

9 DATED this 1st day of February, 2006.

10 Respectfully submitted,

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12   
13 Kupala Tara, Petitioner

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15   
16 Allen M. Ressler, WSBA #5330  
17 RESSLER & TESH, PLLC  
18 Attorney for Petitioner  
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7 IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA

9 Plaintiff,

10 v.

11 ROBERT V. KESLING

12 Defendant,

13 KUPALA TARA,

14 Petitioner.

No. 05-173 RSM

DECLARATION OF SERVICE

15 I certify under penalty of perjury under the laws of the State of Washington that I  
16 sent the "Petition for Kupala Tara" to:

17 Richard Cohen  
18 Assistant United States Attorney  
700 Stewart Street, Suite 5220  
19 Seattle, WA 98101-1271

20 via ABC Legal Messengers on February 3, 2006.

21 DATED at Seattle, Washington, this 3<sup>rd</sup> day of February, 2006.

22  
23   
24 Katie Meyer

25  
26  
DECLARATION OF SERVICE - 1

LAW OFFICES OF  
RESSLER & TESH, P.L.L.C.  
EXCHANGE BUILDING  
PENTHOUSE SUITE  
821 SECOND AVENUE  
SEATTLE, WA 98104  
(206) 368-0333